

**Notice of Allowability**

Application No.

10/736,529

Examiner

Sanza L. McClendon

Applicant(s)

MOCHIZUKI ET AL.

Art Unit

1711

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/13/06.
2. ☒ The allowed claim(s) is/are 5-10.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/721,666.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

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## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to the Amendment received on January 13, 2006, the examiner has carefully considered the amendments.

### ***Response to Arguments***

2. Applicant's arguments, see Remarks, filed January 13, 2006, with respect to claims 5-10 have been fully considered and are persuasive. The rejection of claims 5-10 under 35 USC 103(a) as unpatentable over Tani et al (5,972,807) in view of Yamamoto et al (6,387,969) has been withdrawn. Yamamoto et al has been removed from the rejection because it is not prior art, as explained in applicant's remarks. And Tani et al does not expressly teach nor fairly suggest a resin obtained by the instantly claimed process. The instantly claimed invention is distinguished over Tani et al because applicant remove the dispersible compound in the instantly claimed composition, while Tani et al does not. The dispersible compound of Tani et al is a required element in the cured resin composition, of Tani et al. Tani et al teaches said dispersible photosensitive compound provides the resin of Tani et al with high heat-resistance—see column 6, line 65. While Tani et al teaches said dispersible compound (particles) can be reduced in size by heating method, Tani et al does not fairly suggest nor explicitly teach removing the photosensitive dispersible compound. Therefore the instant invention is distinguished over the prior art.

### ***Allowable Subject Matter***

3. Claims 5-10 are allowed.

4. The following is an examiner's statement of reasons for allowance: The prior art of record, taken alone or in combination, does not fairly suggest or disclose the presently claimed porous resin that has been obtained by the instantly claimed invention. The closest prior art is Tani et al, which teaches cured resin from compositions comprising a polyamic acid, a photosensitive agent, a dispersible compound and a solvent. The difference between Tani et al and the instantly claimed invention is Tani et al does not teach removing the dispersible compound, but rather teaches that said dispersible compound which makes islands in a sea-island matrix type can be modified, i.e. reduced in size by heating and other methods but not removed as in the instantly claimed invention, providing said cured resin with high-heat resistance. These result in the islands (of the dispersible compounds) instead of pores in the cured resin. Therefore the instant article (porous resin) is distinguished over

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the instantly claimed invention, which has no dispersible compound in the cure composition resulting in a porous resin.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanza L. McClendon whose telephone number is (571) 272-1074. The examiner can normally be reached on Monday through Friday 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Sanza L. McClendon  
Examiner  
4/3/06  
Art Unit 1711

SMc